

SENATOR JOHN WHITMIRE

Senate District 15 • Fall 2008 Capitol Report



Dear Friends and Neighbors,

I am pleased to provide this update on some of the important issues impacting the State of Texas and the residents of Senate District 15.

During the interim, Senate and House Committees are busy holding interim hearings on a wide variety of subjects to be considered by the 81st Legislature which convenes in January, 2009.

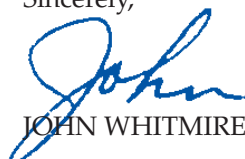
I am pleased to continue to serve as Chair of the Senate Criminal Justice Committee and as a member of the Finance Committee, Administration Committee, Government Organization Committee, and the Legislative Budget Board. Given the importance of criminal justice and public safety, I remain very busy as Co-Chair of both the Criminal Justice Legislative Oversight Committee and the Joint Committee on the Operation and Management of the Texas Youth Commission.

Having served longer than any other member of the Texas Senate, I am also honored to be the Dean of the Texas Senate. I continue to take my role as Dean very seriously and use the position to foster compromise among my colleagues.

I hope this newsletter provides useful information on some of the accomplishments of the 80th Legislature as well as a look ahead at what we are working on in preparation for next session.

It has been my privilege to represent Senate District 15 for the past 25 years and I am honored to continue to work on your behalf in Austin and in our community.

Sincerely,


JOHN WHITMIRE

IN OUR COMMUNITY

WEST 11TH STREET PARK

While in Austin for the legislative session, Senator Whitmire continued to closely follow the fate of the West 11th Street Park. As a member of Senate Finance, he was hopeful he could obtain state funding through the Texas Parks and Wildlife Department to secure the final five acres of the park.

In late May 2007, Senator Whitmire announced that the conference committee on the state budget, of which he is a member, had given final approval for the \$3.75 million needed to preserve this important part of the community and neighborhood.

"The outpouring of support from community leaders and the residents surrounding the park was a tremendous help in our success," said Senator Whitmire. "I was honored to work with the City of Houston, the Houston Parks Board, and the Friends of the West 11th Street Park to protect this wonderful asset."



Senator Whitmire speaks at a West 11th Street Park celebration.

FIRE HYDRANT STANDARDS

Prior to last session, private water companies were not required to provide water pressure sufficient to operate fire hydrants. Because of the lack of standard, homes in neighborhoods like Garden City suffered extensive damage when the water pressure was not sufficient enough to fight the flame.

Neither the City of Houston nor the State had the authority to mandate standards. Representative Turner and Senator Whitmire authored House Bill 1391 which now requires water utilities to adopt standards for maintaining sufficient water pressure for fire hydrants.

"It is incomprehensible that firefighters would not have sufficient water pressure to operate a fire hydrant when a resident and their home are in danger," commented Whitmire. "I was grateful to sponsor legislation with Representative Turner to ensure no one else would lose their homes because of a lack of water pressure at the fire hydrant."



Rep. Sylvester Turner, Roy Malonson, Lt. Gov. David Dewhurst, Congressman Al Green, and Sen. Whitmire attend a African American Chamber of Commerce of Greater Houston banquet.

ELECTION DAY 2008

One of the most fundamental rights in a democracy is the right to vote. Texans will again be able to choose their elected officials on November 4, 2008. Offices up for election include the President of the United States, United States Senator, and many state and local offices.

Register to vote by requesting an application from the Harris County Tax Office at 713-368-VOTE or by stopping by any of the 15 Harris County Tax Offices. Applications can be downloaded from the Tax Office at <http://www.tax.co.harris.tx.us/voter/voterintro.asp>

Texas voters can cast their vote prior to election day at several early voting locations. If you wait until election day, you must vote at your precinct voting poll. Your precinct is listed on your voter registration card. To find early voting locations and your precinct polling location call 713-755-6965.

Important Election Dates

Important Election Dates

October 6, 2008

Last Day to Register to Vote in
November Election

October 20-31, 2008
Early Voting

October 31, 2008
Last Day to Apply for
Ballot by Mail

November 4, 2008
General Election

CRIMINAL JUSTICE & PUBLIC SAFETY

As Chair of the Senate Criminal Justice Committee, Senator Whitmire spends a large amount of time focusing on reforming our criminal justice system and strengthening public safety. In addition, he is the Co-Chair of both the Criminal Justice Legislative Oversight Committee and the Joint Committee on the Operation and Management of the Texas Youth Commission.



Senator Whitmire participates in a bill signing ceremony for legislation to expand drug courts in Texas.

TOUGH, BUT SMART ON CRIME

When the Legislature convened in January 2007, many state leaders and prison officials were advocating for the need to build more prisons. Given that Texas has one of the largest prison systems in the world and the vast need for improvements within the existing system, Senator Whitmire lead the movement against new prisons. Instead, he wanted the Legislature and prison system to focus on rehabilitating low level offenders before they were returned to the community and freeing up space for the State's most dangerous and repeat offenders.

Senator Whitmire worked closely with his colleagues and was successful in obtaining funding for the largest expansion of treatment and rehabilitation programs in decades. The Legislature appropriated more than \$200 million to add more than 8,000 new treatment beds for inmates, parolees, and probationers. The additional beds give judges alternatives to prisons, provide treatment alternatives for parolees or probationers who were otherwise being revoked to prison for minor or technical violations. The funding also established a DWI prison unit to rehabilitate low level DWI offenders.

"Texas is the toughest state in the nation on crime," said Senator Whitmire. "By rehabilitating low level offenders and preparing them to return to the community as productive citizens, we can also be smart on crime." "The reforms we achieved during the last legislative session have become model nationwide and I look forward to following and improving on their success," stated Whitmire.

THE JUVENILE JUSTICE SYSTEM

In February 2007, the Texas Youth Commission (TYC) abuse scandal shocked the state. Fortunately with the Legislature in session, state leaders and criminal justice experts were able to act swiftly and move in to take control of the agency operations. The TYC management team was replaced and the agency was quickly put under conservatorship.

TYC was never intended to be a large system, but at the beginning of last session, TYC was housing more than 4,700 juvenile offenders in institutions, halfway houses, and contracted care. Today, the population has dropped to less than 2,500.

While the agency has continued to be reorganized and rebuilt over the past year and a half, there is still a great deal of work to be done to reform our juvenile justice system.

Senator Whitmire continues to push for the closure of the older, remote TYC facilities which are not suitable for young people to live in, cannot be fully staffed, and do not have access to adequate treatment, health care or education services. In addition, Senator Whitmire is forming his plan to downsize TYC, keep the majority of young offenders in the community in smaller settings, and provide a comprehensive education and treatment program similar to the current juvenile probation system.

"We cannot continue to fail the young boys and girls we have locked up in TYC," said Whitmire. "We have got to provide adequate services to our young offenders and their families in the community." "Otherwise, they will simply find themselves in the adult criminal justice system which is unacceptable."

CRIMINAL JUSTICE AT A GLANCE

160,538	Inmates in the Adult Prison System	9,381	Parole Revocations
71,402	Inmates in County Jails	41,998	Inmates with Mental Illness History
12,531	Women in Texas Prisons	10th	Average Grade Level of Adult Inmates
247	Babies Born to Female Inmates (2007)	78,124	Inmates Receiving Education Services
248,052	Felony Probationers in Texas	361	Inmates on Death Row
183,012	Misdemeanor Probationers in Texas	2,457	Texas Youth Commission Population
23,922	Felony Probation Revocations	51,000	Juveniles on Probation

FUNDING CRUCIAL GOVERNMENT SERVICES AND PROGRAMS

As a member of the Senate Finance Committee and the Legislative Budget Board, Senator Whitmire is constantly reminded of how inadequately the State of Texas funds state agencies, programs and crucial government services.

Current estimates predict a \$11.8 billion budget surplus. \$3 billion of the surplus is in the Property Tax Relief Fund and another \$6.8 billion is in the Rainy Day Fund, leaving around \$2 billion of a so-called surplus.

“Given the vast needs in this state, we would still not have adequate funding for state services even if we were to spend the entire Rainy Day Fund,” said Whitmire. “State agencies, state employees, teachers, and our citizens deserve better.”

Public Education

Despite three special sessions on school finance, Texas schools continue to struggle with inadequate funding.

With soaring fuel costs and growing expenses, many school districts are seeking voter approval for property tax increases. With the over-reliance on property taxes and the uncertainty of the revenue from the new business tax, state leaders and legislators are going to be forced to once again review public education funding and its shortfalls.

“School leaders, teachers, and families recognize the critical condition of our school funding and must continue to express their concerns to their elected officials,” said Whitmire. “The state must fulfill our obligation to provide a quality and equal education to our children and adequate pay for our teachers.”

Tuition Deregulation

In 2003, the Legislature passed legislation to deregulate college tuition. Senator Whitmire spoke out strongly against the bill even though he was successful in adding a provision to force tuition deregulation to expire in four years. The 4-year sunset provision would have required the Legislature to come back in 2007 to determine if tuition deregulation was indeed a good thing for our students. Unfortunately, the sunset provision was stripped from the final bill and unfortunately most people now realize that tuition deregulation was a disaster.

“Because the Legislature and leadership refuse to adequately fund higher education, we have placed the burden on our college students and their families,” commented Sen. Whitmire. “We must step up to the plate and provide relief for our already financially-strapped students and family. We must make college education affordable in Texas.”

Infrastructure Construction and Maintenance

Another controversial area of state spending is construction and maintenance of our highways and bridges.

Plans to build toll roads, particularly turning existing highways to toll roads, have been met with opposition across the state. But insufficient revenue from the federal government and state gas tax have left the state far behind on meeting our transportation needs.

In addition to the need for billions in new highway construction, many of the state’s bridges have been classified as structurally deficient. Of the 20 most traveled bridges on the list, only one has been completely repaired and repairs have only been started on two other bridges.

Health and Human Services

Texas ranks at or very near the bottom in the nation in almost every category of health and human service funding. Whether the topic is Child Protective Service caseloads, a shortage of beds in our state hospitals, or more than 8,000 mentally or physically disabled people waiting for community living options; Texas has long neglected our most needy of citizens.

“As a member of Senate Finance, I will continue to push for and end to waiting lists for our health and human service programs,” said Whitmire. “It is unacceptable to continue to ignore the needs of our citizens that rely on government services and programs to maintain a quality of life.”

Public Safety

The State’s criminal justice and public safety agencies continue to have trouble filling critical positions.

The Texas Department of Criminal Justice has a correctional officer shortage of more than 3,400 and the Texas Youth Commission is juvenile correctional officers short.

“Insufficient pay and tough working conditions have led to a critical shortage in correctional officers,” commented Whitmire. “Our prison units are woefully understaffed which is a danger to the inmates, the correctional officers, and the community.”

In addition to the correctional officer shortage, the Texas Department of Public Safety also has many vacant commissioned officer positions. “A shortage of officers and the fact that current officers are over-worked is a major concern,” said Whitmire. “We must provide adequate resources to attract and retain DPS personnel to patrol our highways, issue drivers’ licenses, and provide security to state office buildings including the Capitol and Governor’s Mansion.”

PREPARING FOR THE 81ST LEGISLATIVE SESSION

During the interim between legislative sessions, Senate Whitmire and his colleagues are holding hearings on a wide range of important issues to be considered during the 81st Legislative Session which begins in January, 2009. Each committee will present a written report to the Legislature including its findings and recommendations. The following is a list of some of the major senate committees and the key issues they are discussing.



Criminal Justice

- monitor the implementation of the reforms to the Texas Youth Commission
- make recommendations to reduce the number of law enforcement officer deaths in the line of duty
- study the system of deferred adjudication
- monitor the implementation of the new and expanded treatment programs in the adult system
- review the process for re-entry of offenders into communities



Education

- study the effectiveness of public school programs service special education students
- conduct a comprehensive review of the public school accountability system
- review the quality of career and technical education programs
- study current property tax rates at school districts
- review public school facility infrastructure needs
- study the need for new higher education institutions
- identify future economic trends and workforce needs and determine strategies to help meet those needs



Finance

- provide budget oversight of state agencies to ensure funds are being spent wisely
- evaluate tax incentives to encourage employers to provide health insurance to their employees
- study the funding of county public hospitals
- review the current funding structure of higher education
- study and make recommendations to improve the property tax appraisal system
- study the benefits and limitations of property tax appraisal caps



State Affairs

- study and make recommendations for reducing the number of uninsured Texans
- examine the security and accuracy of Texas elections including a review of voter ID laws
- monitor the workers' compensation system
- study and make recommendations to reduce illegal gambling in Texas
- review the transparency and efficiency of the health insurance market



Business and Commerce

- evaluate the impact of telecommunications and electric deregulation
- study feasibility and capacity for alternative forms of electricity generation
- review consumer finance issues including home equity lending, credit scoring, and payday lending



Health and Human Services

- monitor plans to reduce caseloads for Child Protective Service caseworkers
- review efforts to improve state schools and provide more community care options
- monitor the implementation of programs to stabilize the foster care system and increase permanency options for children
- examine strategies for preventing child abuse
- study the state's need for physicians, dentists, nurses, and other health care professionals



Natural Resources

- study the safety of major dams, levees, and other flood control structures across Texas
- assess the use of advanced technologies for the reduction of point source pollution emissions
- review the environmental impact of new electric generation sources and technologies
- consider incentive programs related to emissions reductions and recommend improvements



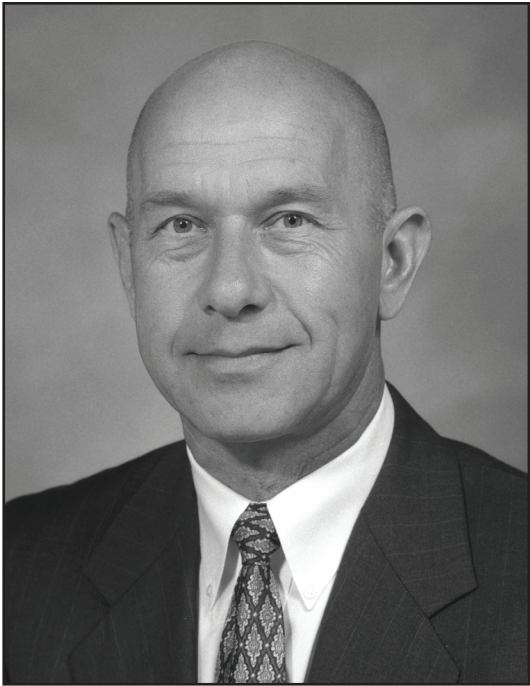
Transportation & Homeland Security

- evaluate the state's homeland security efforts
- study and make recommendations regarding state and local regulation of billboards
- review the status of structurally deficient bridges
- study the status of current and planned toll road projects
- monitor urban crime labs and their compliance state laws
- study state and local options for expanding transportation funding
- make recommendations to stem the tide of illegal immigration, drug trafficking and human smuggling and to reduce criminal activities along the Mexico border



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FALL 2008 CAPITOL REPORT

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THE TEXAS SENATE IS AN EQUAL OPPORTUNITY EMPLOYER AND DOES NOT DISCRIMINATE ON THE BASIS OF RACE, COLOR, NATIONAL ORIGIN, SEX, RELIGION, AGE OR DISABILITY IN EMPLOYMENT OR THE PROVISION OF SERVICES.

HELPFUL TOLL FREE NUMBERS

Abuse Hotline (children, elderly, disabled)	800-252-5400	Injured Workers	800-252-7031
Children’s Health Insurance (CHIP)	800-647-6558	Insurance Information and Assistance	800-252-3439
Child Support Enforcement.	800-252-8014	Legal Referral	800-252-9690
Consumer Protection (Attorney General)	800-621-0508	Medicaid Hotline.	800-252-8263
Consumer Credit Helpline.	800-538-1579	Runaway Hotline.	888-580-4357
Crime Victims Compensation.	800-983-9933	Student Financial Aid	877-782-7322
Crime Stoppers.	800-252-8477	Taxpayer Information	800-252-5555
Emergency Roadside Assistance	800-525-5555	Voter Registration/Elections.	800-252-8683
Governor’s Citizen Assistance Hotline.	800-843-5789	Youth Hotline	800-210-2278